

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Housing Department – Establishment – M.Maheswara Rao, Work Inspector, Srikakulam District – Dismissed from service a-part from recovery of Rs.99,250/- with 12% interest by the Managing Director, A.P.State Housing Corporation Limited - Proceedings of the Managing Director, A.P.State Housing Corporation Limited set a side and conduct of denovo enquiry against Sri M.Maheswara Rao, Work Inspector – Orders – Issued.

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Housing (U&IAY) Department

G.O.Rt.No.261

Dated:03.10.2008.

Read the followings:-

- Ref: 1. From the Managing Director, APSHCL, Proceedings .No. Vig – 1/11891 /SKLM/1999, dated: 28-2-2008.
2. Mercy petition dated 19.03.2008 from Sri M.Maheswara Rao, Work Inspector (Dismissed), Srikakulam District.
3. Govt. Letter No 1099/U&IAY –A2/2008 –1, Housing (U&IAY) Department, dated 26.03.2008.
4. From the Managing Director, APSHCL, Lr.No. Vig – 1/11891/SKLM/1999 dated:06-05-2008.

ORDER:

In the proceedings 1st read above, the Managing Director, A.P.State Housing Corporation Limited disposed off the disciplinary proceedings initiated against Sri M.Maheswar Rao, Technical Work Inspector of Srikakulam district by awarding punishment of 'DISMISSAL' from service in addition to the recovery of Rs.99,250/- (i.e., 50% of the total amount) with 12% interest under Rule 9 (x) Sub-Rule of APCS (CC&A) Rules, 1991 for mis-appropriation of steel and cement in construction of houses at Pondur Section, Srikakulam District.

2. In the reference 2nd read above, Sri M.Maheswara Rao, Work Inspector (Dismissed) has made a mercy petition to Government to suspend the dismissal orders and to re-instate him into service.

3. Government have examined the matter in consultation with MD., APSHCL and observed that the Enquiry Officer's conclusion based on which the decision for dismissal from service was taken, suffers from fundamental, legal infirmities. The Enquiry Officer (EO) has based his report mainly on the evidence given by the Watchman who is also responsible for safe custody of material and reporting to A.E concerned, who in turn is a co accused, that there is no corroborative evidence given by any independent witnesses that Deriving conclusion mainly from such evidence may not be sustainable in any Court of Law, if challenged and therefore decided that the entire proceedings of the Managing Director, A.P.State Housing Corporation Limited so far initiated against the individual be set-aside and the Managing Director, A.P.State Housing Corporation Limited directed to conduct denovo enquiry into the matter by considering to include Watchman and Asstant Engineer concerned as Co-accused in the matter, by following the due procedure under APCS (CC&A) Rules, 1991.

4. Accordingly, Government hereby set-aside the entire disciplinary proceedings so far initiated by the Managing Director, A.P.State Housing Corporation Limited against Sri M.Maheswara Rao, Work Inspector (T), Srikakulam District and direct the Managing Director, A.P.State Housing Corporation Limited to conduct denovo enquiry into the charges framed against Sri M.Maheswara Rao duly including the Watchman and the Assistant Engineer (H), concerned as Co-accused in the matter by following the due procedure under APCS (CC & A) Rules, 1991.

5. The Managing Director, A.P.State Housing Corporation Limited shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Managing Director,
A.P.State Housing Corporation Limited,
Hyderabad.
Copy to: The individual through Managing Director,
A.P.State Housing Corporation Limited
The General Manager (H),
A.P.State Housing Corporation,
Srikakulam District.
SF.

//FORWARDED :: BY ORDER//

SECTION OFFICER